

NEPA, such would fall within this categorical exclusion. The Service also believes that the exceptions to categorical exclusions (516 DM 2, Appendix 2) would not be applicable to such a decision, especially in light of the absence of environmental effects for such action.

#### Authority

The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

Dated: September 6, 1996

John G. Rogers

Acting Director, Fish and Wildlife Service.

[FR Doc. 96-23718 Filed 9-16-96; 8:45 am]

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#### 50 CFR Part 17

#### RIN 1018-AB75

#### Endangered and Threatened Wildlife and Plants; Extension of Comment Period on Threatened Status for Copperbelly Water Snake

**AGENCY:** Fish and Wildlife Service, Interior.

**ACTION:** Proposed rule; notice of extension of comment period.

**SUMMARY:** The Fish and Wildlife Service (Service) provides notice that the comment period on the proposed threatened status for the copperbelly water snake (*Nerodia erythrogaster neglecta*) is extended. This snake occupies portions of southern Michigan, northwestern Ohio and adjacent northeastern Indiana, southern Indiana, southeastern Illinois, and western Kentucky.

**DATES:** Comments from all interested parties must be received by November 15, 1996.

**ADDRESSES:** Comments and materials concerning this proposal should be sent to U.S. Fish and Wildlife Service, 620 South Walker Street, Bloomington, Indiana 47403-2121.

**FOR FURTHER INFORMATION CONTACT:** David Hudak, Field Supervisor, (see **ADDRESSES** section), 812/334-4261 extension 200.

#### SUPPLEMENTARY INFORMATION:

##### Background

A proposed rule to list the copperbelly water snake (sometimes referred to as the northern copperbelly water snake) as threatened was published on August 18, 1993 (58 FR 43860). A public hearing on the proposal was held in Indianapolis on April 4, 1994. The current comment

period began on July 16, 1996, and closes on September 16, 1996.

On April 10, 1995, Public Law 104-06 imposed a moratorium which prevented the addition of any species to the Threatened and Endangered Species List. Thus, the Service was prevented from making a final decision on the proposed threatened classification of the copperbelly water snake. The moratorium remained in effect until April 26, 1996, at which time Public Law 104-134 was enacted, providing for the termination of the listing moratorium by the President.

The Service is required to use the best available scientific and commercial data in making listing determinations under the Endangered Species Act of 1973, as amended. The Service's Final Listing Priority Guidance, published May 16, 1996, (61 FR 24722) notes that the inaction forced upon the Service by the moratorium and related funding limitations may result in a need to reopen comment periods due to unresolved questions or the potential for the existence of new information. Pursuant to this Guidance, the Service reopened the comment period on July 16, 1996, (61 FR 37034) for 60 days to ensure that the best scientific and commercial information currently available would be used in making a final listing determination for the copperbelly water snake.

The Service has contracted for a report on the current biological status of the northern population (southern Michigan and the adjacent portions of Indiana and Ohio) of the copperbelly water snake. This report has not yet been completed. Due to the expected importance of this updated information in evaluating the status of the northern populations, the Service is extending the current comment period so that the report will be available and reviewed by the Service prior to making a final listing decision. Parties wishing to receive a copy of the northern population report were asked, in the July 16, 1996, Federal Register notice, to furnish their address to the Service; copies of the report will be sent to those parties when the report is received by the Service.

During this comment period the Service has been working with representatives of the coal industry, the Farm Bureau Federation, State fish and wildlife resource agencies, and State surface mining regulatory agencies to develop conservation plans for the copperbelly water snake and its habitat in Illinois, Kentucky, and southern Indiana. These efforts have been productive and will be continued during the extended comment period.

The scope and success of these and other conservation actions will be taken into consideration when the Service makes its final listing decision.

#### Author

The primary author of this notice is Ronald L. Refsnider, U.S. Fish and Wildlife Service, Division of Endangered Species, Bishop Henry Whipple Federal Building, 1 Federal Drive, Ft. Snelling, Minnesota 55111-4056 (612-725-3536).

#### Authority

Authority for this action is the Endangered Species Act of 1973 (16 U.S.C. 1531 *et seq.*).

Dated: September 12, 1996.

John A. Blankenship,

Acting Regional Director, Region 3, Ft. Snelling, MN.

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#### DEPARTMENT OF COMMERCE

#### National Oceanic and Atmospheric Administration

#### 50 CFR Part 285

[Docket No. 960416112-6256-03; I.D. 091296B]

#### RIN 0648-AI29

#### Options for 1997 Rulemaking for Atlantic Tunas

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Advanced notice of proposed rulemaking (ANPR); request for comments.

**SUMMARY:** NMFS is considering rulemaking on a number of issues that affect the Atlantic tuna fishery: (1) Changes in Atlantic tuna permit regulations to require annual permits, establish mutually exclusive recreational and commercial fishing categories, recover administrative costs through a permit fee; (2) modifications to the Atlantic bluefin tuna (ABT) Angling category quotas to address geographic distribution of fishing opportunities, and establishing mandatory self-reporting systems for ABT recreational quota monitoring; (3) modifications to the target catch requirements for the Incidental longline ABT fishery; (4) measures necessary to implement quota modifications and/or any other management recommendations for Atlantic tunas